

REMARKS

Claims 1-11, 14 and 16-24 are pending in the application. Claims 1-10 are allowed. In the Office Action of July 3, 2003, the Examiner made the following disposition:

- A.) Rejected claims 11, 14 and 17-22 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over *Kamauchi et al.*
- B.) Rejected claim 16 under 35 U.S.C. §103(a) as obvious over *Kamauchi et al.* in view of *Oliver et al.*
- C.) Rejected claims 23 and 24 under 35 U.S.C. §103(a) as obvious over *Kamauchi et al.* in view of *Sun*.

Applicants respectfully traverse the rejections and address the Examiner's disposition as follows:

- A.) Rejection of claims 11, 14 and 17-22 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over *Kamauchi et al.*:

Applicants respectfully disagree with the rejection.

Applicant's independent claims 11 and 21 have each been amended to limit the members of the claimed matrix polymer Markush group. Claims 14 and 16 have been amended to correct informalities.

Applicants' claims 11 and 21, each as amended, each claim an electrolyte composition containing an electrolyte salt, a matrix polymer, and a swelling solvent. The matrix polymer is further claimed as being selected from the group consisting of polyhexafluoropropylene, polypropylene oxide, polyphosphazene, polysiloxane, polyacrylic acid, polymethacrylic acid, styrene-butadiene rubber, nitrile-butadiene rubber, and polycarbonate.

This is clearly unlike *Kamauchi et al.*, which fails to disclose or suggest Applicants' claimed matrix polymer. Unlike Applicants' claims 11 and 21, nowhere does *Kamauchi et al.* disclose or suggest a matrix polymer selected from the group consisting of polyhexafluoropropylene, polypropylene oxide, polyphosphazene, polysiloxane, polyacrylic acid, polymethacrylic acid, styrene-butadiene rubber, nitrile-butadiene rubber, and polycarbonate. Accordingly, *Kamauchi et al.* fails to disclose or even suggest Applicants' claimed matrix polymer.

Thus, *Kamauchi et al.* fails to disclose or even suggest Applicants' claims 11 and 21.

Claims 14, 17-20 and 22 depend directly or indirectly from claims 11 or 21 and are therefore allowable for at least the same reasons that claims 11 and 21 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claim 16 under 35 U.S.C. §103(a) as obvious over Kamauchi et al. in view of Oliver et al.:

Applicants respectfully disagree with the rejection.

Applicants' claim 11 is allowable over *Kamauchi et al.* as described above. *Oliver et al.* also fails to disclose or suggest Applicants' claimed matrix polymer selected from the group consisting of polyhexafluoropropylene, polypropylene oxide, polyphosphazene, polysiloxane, polyacrylic acid, polymethacrylic acid, styrene-butadiene rubber, nitrile-butadiene rubber, and polycarbonate. Therefore, *Kamauchi et al.* in view of *Oliver et al.* in still fails to disclose or suggest Applicants' claim 11.

Claim 16 depends directly or indirectly from claim 11 and is therefore allowable for at least the same reasons that claim 11 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

C.) Rejection of claims 23 and 24 under 35 U.S.C. §103(a) as obvious over Kamauchi et al. in view of Sun:

Applicants respectfully disagree with the rejection.

Applicants' claim 21 is allowable over *Kamauchi et al.* as described above.

Sun also fails to disclose or suggest Applicants' claim 21, because *Sun* also fails to disclose or suggest Applicants' claims matrix polymer. *Sun* discloses a variety of matrix polymers, however, nowhere does *Sun* disclose or suggest a matrix polymer selected from the group consisting of polyhexafluoropropylene, polypropylene oxide, polyphosphazene, polysiloxane, polyacrylic acid, polymethacrylic acid, styrene-butadiene rubber, nitrile-butadiene rubber, and polycarbonate.

Therefore, *Kamauchi et al.* in view of *Sun* still fails to disclose or suggest Applicants' claim 21.

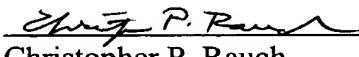
Claims 23 and 24 depend directly or indirectly from claim 21 and are therefore allowable for at least the same reasons that claim 21 is allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-11, 14, and 16-24 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 3, 2003.

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